

108TH CONGRESS  
1ST SESSION

# S. 363

To amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

---

## IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2003

Ms. MIKULSKI (for herself, Mr. SARBANES, Ms. COLLINS, Mr. BINGAMAN, Mr. DASCHLE, Ms. SNOWE, Mr. DORGAN, Ms. LANDRIEU, Mrs. MURRAY, Mr. BREAUX, Ms. CANTWELL, Mr. KENNEDY, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Government Pension  
3 Offset Reform Act”.

4 **SEC. 2. LIMITATION ON REDUCTIONS IN BENEFITS FOR**  
5 **SPOUSES AND SURVIVING SPOUSES RECEIV-**  
6 **ING GOVERNMENT PENSIONS.**

7       (a) WIFE’S INSURANCE BENEFITS.—Section  
8 202(b)(4)(A) of the Social Security Act (42 U.S.C.  
9 402(b)(4)(A)) is amended—

10           (1) by inserting “the amount (if any) by which  
11 the sum of such benefit (before reduction under this  
12 paragraph) and” after “two-thirds of”; and

13           (2) by inserting “exceeds the amount described  
14 in subsection (z) for such month,” before “if”.

15       (b) HUSBAND’S INSURANCE BENEFITS.—Section  
16 202(c)(2)(A) of such Act (42 U.S.C. 402(c)(2)(A)) is  
17 amended—

18           (1) by inserting “the amount (if any) by which  
19 the sum of such benefit (before reduction under this  
20 paragraph) and” after “two-thirds of”; and

21           (2) by inserting “exceeds the amount described  
22 in subsection (z) for such month,” before “if”.

23       (c) WIDOW’S INSURANCE BENEFITS.—Section  
24 202(e)(7)(A) of such Act (42 U.S.C. 402(e)(7)(A)) is  
25 amended—

1           (1) by inserting “the amount (if any) by which  
2           the sum of such benefit (before reduction under this  
3           paragraph) and” after “two-thirds of”; and

4           (2) by inserting “exceeds the amount described  
5           in subsection (z) for such month,” before “if”.

6           (d) WIDOWER’S INSURANCE BENEFITS.—Section  
7           202(f)(2)(A) of such Act (42 U.S.C. 402(f)(2)(A)) is  
8           amended—

9           (1) by inserting “the amount (if any) by which  
10          the sum of such benefit (before reduction under this  
11          paragraph) and” after “two-thirds of”; and

12          (2) by inserting “exceeds the amount described  
13          in subsection (z) for such month,” before “if”.

14          (e) MOTHER’S AND FATHER’S INSURANCE BENE-  
15          FITS.—Section 202(g)(4)(A) of such Act (42 U.S.C.  
16          402(g)(4)(A)) is amended—

17          (1) by inserting “the amount (if any) by which  
18          the sum of such benefit (before reduction under this  
19          paragraph) and” after “two-thirds of”; and

20          (2) by inserting “exceeds the amount described  
21          in subsection (z) for such month,” before “if”.

22          (f) AMOUNT DESCRIBED.—Section 202 of such Act  
23          (42 U.S.C. 402) is amended by adding at the end the fol-  
24          lowing:

1       “(z) The amount described in this subsection is, for  
 2 months in each 12-month period beginning in December  
 3 of 2003, and each succeeding calendar year, the greater  
 4 of—

5               “(1) \$1200; or

6               “(2) the amount applicable for months in the  
 7 preceding 12-month period, increased by the cost-of-  
 8 living adjustment for such period determined for an  
 9 annuity under section 8340 of title 5, United States  
 10 Code (without regard to any other provision of  
 11 law).”.

12       (g) LIMITATIONS ON REDUCTIONS IN BENEFITS.—  
 13 Section 202 of such Act (42 U.S.C. 402), as amended by  
 14 subsection (f), is amended by adding at the end the fol-  
 15 lowing:

16       “(aa) For any month after December 2003, in no  
 17 event shall an individual receive a reduction in a benefit  
 18 under subsection (b)(4)(A), (c)(2)(A), (e)(7)(A), (f)(2)(A),  
 19 or (g)(4)(A) for the month that is more than the reduction  
 20 in such benefit that would have applied for such month  
 21 under such subsections as in effect on December 1,  
 22 2003.”.

23       **SEC. 3. EFFECTIVE DATE.**

24       The amendments made by section 1 shall apply with  
 25 respect to monthly insurance benefits payable under title

- 1 II of the Social Security Act for months after December
- 2 2003.

